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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 OKI AMERICA, INC., et al,

No. C 04-03171 CRB

12 Plaintiffs/Counterdefendants,

ORDER

13 v.


14 ADVANCED MICRO DEVICES, INC.,

15 Defendant/Counterclaimant.
16 _____

17 Now pending before the Court is Oki's motion for leave to file a motion for
18 reconsideration of the Court's denial of Oki's motion for summary judgment of invalidity of
19 AMD's '732 patent. Oki's motion is DENIED. First, the Court previously considered and
20 addressed Oki's arguments with respect to the illustration in Thomas. Second, the Dixit
21 Patent *explicitly* disclaims holes large enough to be filled by sputtering techniques without a
22 step coverage problem. '732 1:42-43 ("To overcome this problem, a plug of a conducting
23 material may be used to fill the contact").

24 **IT IS SO ORDERED.**

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26 Dated: Dec. 5, 2006



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

United States District Court

For the Northern District of California

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